

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mahmoud Assaf

Entitled: A SYSTEM AND METHOD FOR STORAGE OF DEVICE PERFORMANCE  
DATA22387 U.S. PTO  
10/720782

November 24, 2003

MS Patent Application  
Commissioner for Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING BY EXPRESS MAIL

"EXPRESS MAIL" Mailing Label No. EV 303 409 455 US

Date of Deposit November 24, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

ReNed D. Berggren

Signature

Dear Sir:

## REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

X 1. Specification, claims and abstract of the above-referenced patent application having 26 pages.

X 2. 9 sheet(s) of drawing(s) (X formal        informal) comprising Figures 1 through 9.

X 3A. Declaration originally filed September 23, 1999 (X signed        unsigned).

       3B. Power of Attorney (       signed        unsigned).

       3C. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R 1.53(d).

       4. Information Disclosure Statement along with Form PTO-1449 and references.

5. This is a:  Continuation-In-Part;  Divisional;  Continuation;  substitute Application (MPEP 201.09) of Application Serial No.  filed  ;  reissue of U.S. Patent No.  filed on  ;  Original;  Provisional.

An extension to extend the life of the above prior Application to at least the date of filing hereof

*(One box must be marked)*

- (a)  is concurrently being filed in that prior Application,
- (b)  was previously filed in that prior Application,
- (c)  is not necessary for copendency.

6. Attached is an assignment to **Gateway, Inc.** Please return the recorded assignment to the undersigned.

7. Priority is claimed under 35 U.S.C. §120, based on Application number 09/404,423 filed on September 23, 1999.

8. Attached:  (No.) verified statement(s) establishing "small entity" status under 37 CFR § 1.9 and 1.27.

9. Attached:

- Return Postcards
- Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

10. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

11. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 10.

BASIC FEE				SMALL ENTITY RATE	LARGE ENTITY RATE				
	NUMBER FILED	NUMBER EXTRA							
<b>TOTAL CLAIMS</b>	30	-20	=	10	\$9	<u>OR</u>	\$18	=	\$180
<b>INDEP. CLAIMS</b>	6	- 3	=	3	\$43	<u>OR</u>	\$86	=	\$258
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)				\$145	<u>OR</u>	\$290		=	\$0
If assignment is x'd (item 6), add recording fee \$40.00									\$0
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130									\$0
<b>TOTAL FILING FEE</b>								=	<b>\$1,208.00</b>

12. A check in the amount of \$\_\_\_\_\_ to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-0439.

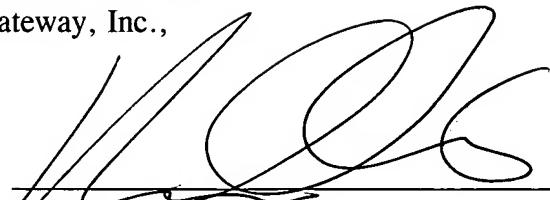
X 13. Please charge my Deposit Account No. 50-0439 in the amount of **\$1,208.00** to cover the Filing Fee calculated in Item 11. This sheet is attached in duplicate.

X 14. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to our Deposit Account No. 50-0439, for which purpose a duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

DATED: November 24, 2003.

Respectfully submitted,  
Gateway, Inc.,

By:

  
\_\_\_\_\_  
Kevin E. West  
Reg. No. 43,983

**CUSTOMER No. 32709**

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